

**Appln No. 09/158,728**  
**Amdt date November 28, 2012**  
**Reply to Office action of August 28, 2012**

**REMARKS/ARGUMENTS**

Claims 548-564, 566-567, 569-573, 576-584, 586, 588, 590-604, 606-614, 616-627, 629-643, 645-652, 654-662, 664, 666-674, 676-695, 697-709, 711-717, and 719-729 are pending in the present application, of which claims 548, 590, 629, 664, and 695 are independent. Claims 548, 560, 576, 590, 600, 614, 616, 629, 639, 652, 654, 664, 695, 705, and 717 are amended herein. Support for the amendment to claim 548 can be found throughout the application as originally filed, including the claims as originally filed, specification pages 12-13, and FIG. 20. No new matter has been added. Claims 560, 576, 590, 600, 614, 616, 629, 639, 652, 654, 664, 695, 705, and 717 are amended herein to correct dependency and/or antecedent basis. Claims 574, 575, 615, 653, and 718 have been canceled herein. Applicant respectfully requests reconsideration and allowance of claims 548-564, 566-567, 569-573, 576-584, 586, 588, 590-604, 606-614, 616-627, 629-643, 645-652, 654-662, 664, 666-674, 676-695, 697-709, 711-717, and 719-729.

**I. Rejection of Claims 548-567, 569-571, 574-578, 580-584, 586, 588, 590-604, 606-611, 614-618, 620-627, 629-643, 645-649, 652-656, 658-662, 664, 666-674, 676-680, 683-684, 686-695, 697-709, 711-714, 717-720, and 722-729 Under 35 U.S.C. §103(a)**

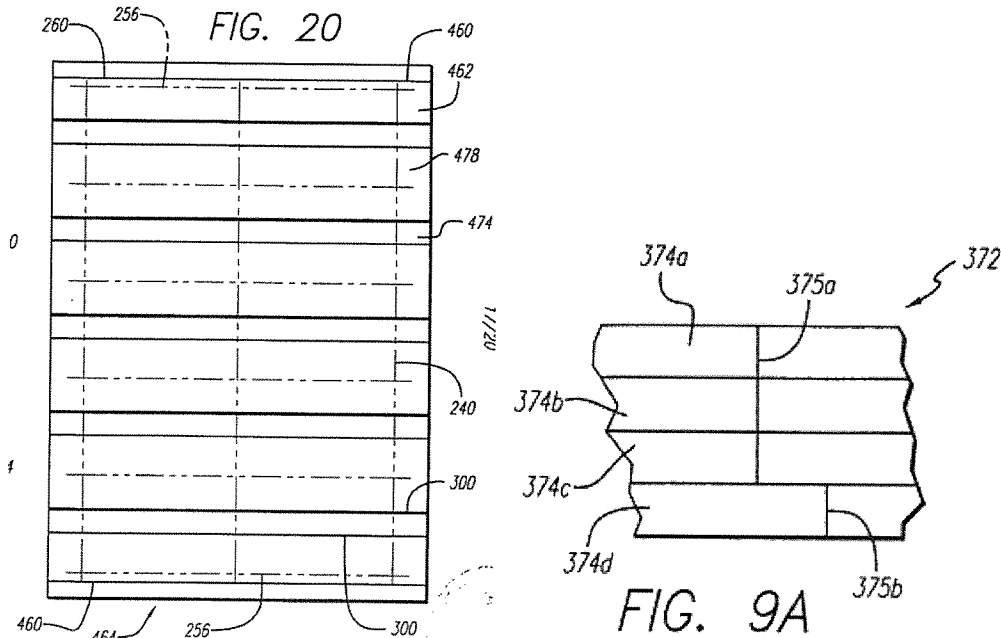
Claims 548-567, 569-571, 574-578, 580-584, 586, 588, 590-604, 606-611, 614-618, 620-627, 629-643, 645-649, 652-656, 658-662, 664, 666-674, 676-680, 683-684, 686-695, 697-709, 711-714, 717-720, and 722-729 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cross (U.S. Patent No. 4,863,772) in view of Popat et al. (U.S. Patent No. 5,407,718).

Amended independent claim 548 recites, in relevant part, "wherein the continuous sheet includes a flexibility cut line extending the width thereof." (emphasis added). Independent claim 548 has been amended herein to incorporate the limitations of dependent claim 574. Accordingly, Applicant's remarks below regarding amended claim 548 are directed to the Examiner's rejection of claims 574.

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In rejecting claim 574, the Examiner first correctly states that "Cross fails to disclose . . . the continuous sheet includes a flexibility line extending a width thereof. . . ." (Office action, pages 17-18). However, the Examiner alleges that "Popat et al. teach . . . the continuous sheet includes a flexibility line extending a width thereof (Figure 1, #34; Column 3, lines 1-4), the flexibility line is a cut line Figure 1, #34; Column 3, lines 1-4), the flexibility line is proximate to an end of the continuous sheet (Figure 1, #34) for the purpose of providing multiple labels/cards on one sheet and to help facilitate ease of feeding into complex printer paths, such as those found on laser printers (Column 3, lines 1-4)." (Office action, pages 19-20). Accordingly, the Examiner alleges that "[i]t would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the grid arrangement of the through-cut lines in Cross in order to provide multiple labels/cards on one sheet and to help facilitate ease of feeding into complex printer paths, such as those found on laser printers as taught by Popat et al." (Office action, page 21).

The printable business card sheet of the present invention includes both "facestock continuous through-cut lines through the facestock sheet construction" and "a flexibility cut line [in the continuous sheet] extending the width thereof," as recited in amended independent claim 548. FIG. 20 of the current application as originally filed, reproduced below for the Examiner's convenience, depicts an embodiment of the claimed printable business card sheet having frame cut lines 256 in the facestock sheet construction and a flexibility cut line 460 in the continuous sheet attached to the back side of the facestock sheet construction. FIG. 9A of the present application, reproduced below, depicts a cross-section of an embodiment of the claimed printable business card sheet having facestock cut lines 375a in the facestock sheet construction and liner cut lines 375b in the continuous sheet.



Contrary to the Examiner's assertion, Popat does not disclose, teach, or otherwise suggest "a flexibility cut line [in the continuous sheet] extending the width" of the continuous sheet. Instead, as can be seen in FIGs. 1 and 2 of Popat, reproduced below for the Examiner's convenience, Popat discloses die-cut lines 32, 34 in the label layer 40, but not the backing layer 28. Popat specifically discloses that "the die cuts extend through label layer 40 and through adhesive layer 42, but do not pierce backing layer 28." (Popat, col. 3, lines 16-18). Although FIG. 2 of Popat only depicts die cut line 32, it is apparent from FIG. 1 of Popat that die-cut line 34 also pierces only the label layer 40 (i.e., die-cut line 32 is not formed on the backing layer 28). Die cut line 34, like die cut line 32, is depicted in FIG.1 with solid lines, rather than phantom lines. Moreover, die cut line 34 forms an upper perimeter edge of the labels 22. Accordingly, die cut line 34 is clearly formed in the label layer 40, rather than the backing layer 28, just like die cut line 32. Therefore, Popat discloses die cut lines in the facestock, but does not also disclose a flexibility cut line in the continuous sheet on the back of the facestock, as recited in amended independent claim 548.

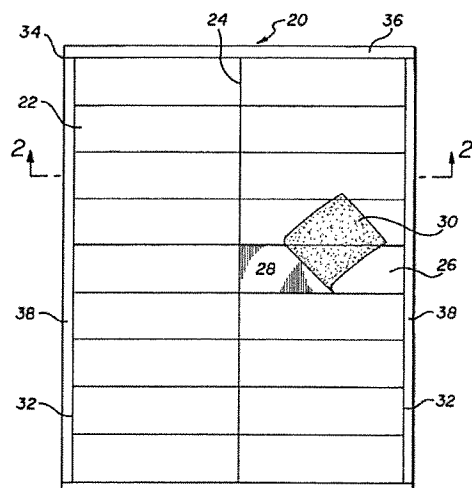


FIG. 1

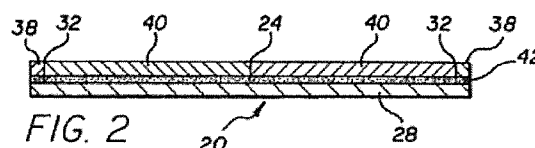


FIG. 2

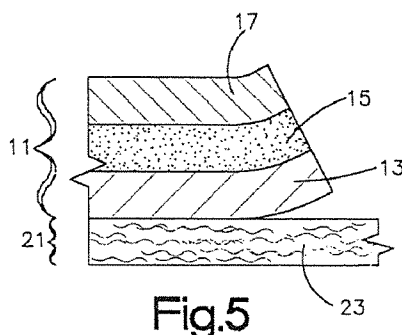
Additionally, the Examiner has not articulated any suggestion or motivation why a person of ordinary skill in the art would have been led to modify the die cut line disclosed in Popat to achieve the flexibility cut line in the continuous sheet recited in amended claim 548. Furthermore, modifying Popat such that the die cut line 34 also extends through the backing layer 28 would render the sheet disclosed in Popat inoperable for its intended purpose. Popat teaches that the intended purpose of die cut lines 32 and 34 is to "form flexible edges 36 and 38, which facilitate ease of feeding into complex printer paths, such as those found on laser printers." (Popat, col. 3, lines 2-4). Modifying die cut line 34 to extend through both the label layer 40 and the backing layer 28 would cause the flexible edge 36 of the sheet to separate from the remainder of the sheet. As such, the flexible edge 36 would be incapable of facilitating feeding the sheet through complex printer paths. Accordingly, Popat does not teach or suggest "a flexibility cut line [in the continuous sheet] extending the width" of the continuous sheet, and there is no suggestion or motivation to modify the die cut line in Popat to achieve the "flexibility cut line [in the continuous sheet]," as recited in amended claim 548. See MPEP 2143.01 ("If [a] proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."), citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Finally, because Popat teaches

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that providing a die cut line in the facestock is sufficient to create a flexible edge, a person of ordinary skill considering the problem of feeding label sheets through printers would not consider also providing "a flexibility cut line [in the continuous sheet]," as recited in amended independent claim 548.

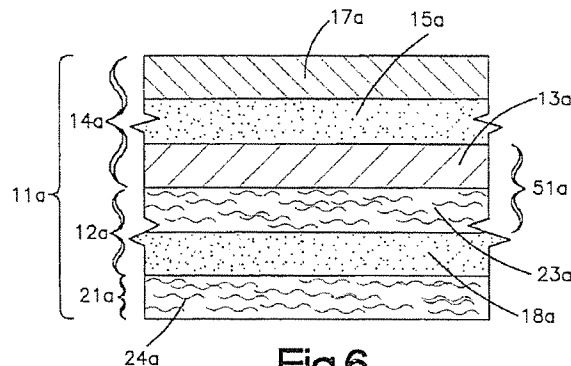
More generally, there is no suggestion or motivation to combine Cross and Popat to achieve the embodiments of the claimed invention recited in independent claims 548, 590, 629, 664, and 695 because combining Cross and Popat would render both references unsatisfactory for their intended purposes. *See* MPEP 2143.01.

Popat is directed to providing a sheet of labels wherein "[e]ach label is provided with an adhesive layer 30 which permits the user to apply the label to another surface." (Popat, col. 2, line 67 to col. 3, line 1). Modifying the labels disclosed in Popat to include the layer construction disclosed in Fig. 5 of Cross would render the labels unsatisfactory for their intended purpose. Specifically, Fig. 5 of Cross, reproduced below for the Examiner's convenience, discloses a facestock construction 11 having a facestock layer 17, a pressure sensitive adhesive layer 15, and a coating of polyethylene 13 attached to a back side of the adhesive layer 15. The polyethylene layer 13 is a non-tacky film layer which is unsuitable for adhering the label to another surface. Moreover, the non-tacky polyethylene layer 13 is not a release liner configured to be removed by the user to expose the adhesive layer 15. Instead, the polyethylene layer 13 is permanently bonded to the adhesive layer 15. Accordingly, modifying Popat to include the film layer disclosed in Figure 5 of Cross and recited in independent claims 548, 590, 629, 664, and 695 would render the invention disclosed in Popat unsatisfactory for its intended purpose. Put simply, a person of ordinary skill in the art would not consider modifying an adhesive-backed label to include a permanent polyethylene layer covering the adhesive layer which prevents the label from functioning as an adhesive label.

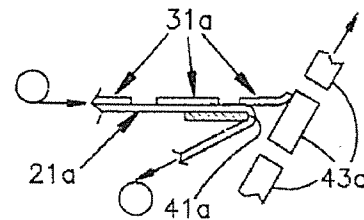


Cross also discloses that the label sheet shown above in Fig. 5 may be "piggybacked on a pressure-sensitive coated liner construction," as shown in Fig. 6 below. (Cross, col. 5, lines 2-4). Cross discloses that these dry-based piggybacked labels are configured to be removed in an industrial setting. As illustrated in Fig. 6A of Cross, reproduced below for the Examiner's convenience, "[i]ndividual labels 31a . . . are carried on the liner construction 21a until peeled therefrom by a conventional industrial applicator device utilizing a peel back edge, or by other means, to expose the pressure sensitive adhesive 18a and apply the label 31a to one of a series of passing workpieces 43a . . . ." (Cross, col. 5, lines 58-64). To facilitate the removal of the labels, Cross describes that the matrix waste portions of the sheet are removed prior to removing the individual labels with the industrial applicator device. Specifically, Cross discloses that the "facestock construction is die-cut into individual labels 31" which "involves stripping a matrix consisting of waste portions (not shown) of the facestock construction. During this step the matrix of the waste facestock must strip readily and cleanly from the liner construction while the portions of facestock construction that form the labels must remain firmly, but only temporarily, anchored to the liner construction." (Cross, col. 3, lines 48-56). Otherwise, the matrix waste portions of the sheet would tend to delaminate from the liner 21a and interfere with the proper application of the labels onto the passing workpieces 43a. Accordingly, Cross discloses that the waste matrix portion of the label sheet is removed during an intermediate manufacturing operation. Thus, a person of ordinary skill in the art would not consider combining the label sheet of Cross, in a preliminary stage of the manufacturing process in which the label sheet still

includes a waste matrix, with the label sheet disclosed in Popat to achieve the claimed invention of claims 548, 590, 629, 664, and 695.



**Fig.6**



**Fig.6A**

For the aforementioned reasons, none of the cited references, whether taken alone or in combination, disclose, teach, or suggest at least the abovementioned limitations of independent claim 548, and there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiment of claim 548. Moreover, there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiments of independent claims 590, 629, 664, and 695. For at least these reasons, claims 548, 590, 629, 664, and 695 would not have been obvious over the art of record at the time the invention was made. See *CFMT, Inc. v. Yieldup Int'l. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) ("obviousness requires a suggestion of all limitations in a claim."), citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974). Therefore, Applicant respectfully requests that the rejection of claims 548, 590, 629, 664, and 695 be withdrawn, and that these claims be allowed.

Moreover, because claims 549-567, 569-571, 576-578, 580-584, 586, and 588 depend from claim 548, claims 591-604, 606-611, 614, 616-618, and 620-627 depend from claim 590, claims 630-643, 645-649, 652, 654-656, and 658-662 depend from claim 629, claims 666-674, 676-680, 683-684, and 686-694 depend from claim 664, and claims 697-709, 711-714, 717, 719-

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720, and 722-729 depend from 695, they each incorporate all the terms and limitations of their respective base claims in addition to other limitations, which together further patentably distinguish these claims over the art of record. Therefore, Applicant respectfully requests that the rejection of claims 549-567, 569-571, 576-578, 580-584, 586, 588, 591-604, 606-611, 614, 616-618, 620-627, 630-643, 645-649, 652, 654-656, 658-662, 666-674, 676-680, 683-684, 686-694, 697-709, 711-714, 717, 719-720, and 722-729 be withdrawn and that these claims be allowed.

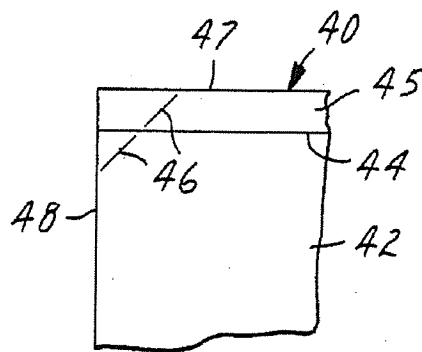
**II. Rejection of Claims 572, 573, 612, 613, 650, 651, 681, 682, 715, and 716 Under 35 U.S.C. §103(a)**

Claims 572, 573, 612, 613, 650, 651, 681, 682, 715, and 716 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cross (U.S. Patent No. 4,863,772) in view of Popat et al. (U.S. Patent No. 5,407,718) and further in view of Hickenbotham (U.S. Patent No. 4,704,317).

As discussed above, neither Cross nor Popat, either alone or in combination, disclose, teach, or otherwise suggest a printable business card sheet comprising a "facestock sheet construction and a continuous sheet attached to the back side of the facestock sheet construction. . . wherein the continuous sheet includes a flexibility cut line extending the width thereof," as recited in amended claims 548. Moreover, as discussed above, there is no suggestion or motivation to combine Cross and Popat to achieve the embodiments of the claimed invention recited in independent claims 548, 590, 629, 664, and 695. Furthermore, Hickenbotham does not remedy the deficiencies of Cross and Popat. The Examiner alleges that Hickenbotham discloses "crushing the corner of label stock for use in printers or copier [sic] to provide a diagonal path of relatively low stiffness (col. 6, lines 9-16)" which "allows the sheet to be dispensed through the printer or copier with greater easier [sic]." (Office action, pages 22-23). Moreover, the Examiner alleges that "[i]t would have been obvious to one of ordinary skill in the art at the time of the invention to crush the edge of the sheet . . . in order to make the edge thinner than the rest of the sheet and to facilitate dispensing." (Office action, page 23).



Although the Examiner alleges that Hickenbotham discloses "crushing the corner of label stock for use in printers or copier [sic] to provide a diagonal path of relatively low stiffness (col. 6, lines 9-16)," Hickenbotham, alone or in combination with Cross and Papat, does not disclose, teach, or otherwise suggest a continuous sheet having "a flexibility cut line extending the width" of the continuous sheet, as recited in amended independent claim 548. As shown in FIG. 4 of Hickenbotham, reproduced below for the Examiner's convenience, Hickenbotham also discloses 45° diagonal slits (or scores or lines of perforations) 46 in the facestock 42 and a die-cut line 44 extending across the facestock 42. The specification of Hickenbotham makes clear that the die-cut line 44 is formed in the facestock 42, rather than the carrier web 101 attached to the back side of the facestock 42. (Hickenbotham, col. 5, lines 47-49). Accordingly, Hickenbotham discloses a die-cut line 44 in the facestock, rather than "a flexibility line [in the continuous sheet]," as recited in amended independent claim 548. Moreover, the 45° diagonal slits disclosed in Hickenbotham are formed only in the corners of the sheet to facilitate dispensing of relatively stiff feedstock from copiers equipped with corner nip feeders. (Hickenbotham, col. 1, lines 38-44). Accordingly, Hickenbotham discloses 45° diagonal slits in the corner of the facestock rather than "a flexibility cut line [in the continuous sheet] extending the width thereof," as recited in amended independent claim 548.



**FIG. 4**

Moreover, the Examiner has not articulated any suggestion or motivation why a person of ordinary skill in the art would have been led to modify either the 45° diagonal slits or the die-cut

line in the facestock disclosed in Hickenbotham to achieve the claimed printable business card sheet wherein the continuous sheet includes "a flexibility cut line extending the width thereof."

For the aforementioned reasons, none of the cited references, whether taken alone or in combination, disclose, teach, or suggest at least the abovementioned limitations of independent claim 548, and there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiment of claim 548. Moreover, there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiments of independent claims 590, 629, 664, and 695. For at least these reasons, claims 548, 590, 629, 664, and 695 would not have been obvious over the art of record at the time the invention was made. See *CFMT, Inc. v. Yieldup Int'l. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) ("obviousness requires a suggestion of all limitations in a claim."), citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974). Therefore, Applicant respectfully requests that the rejection of claims 548, 590, 629, 664, and 695 be withdrawn, and that these claims be allowed.

Moreover, because claims 572 and 573 depend from claim 548, claims 612 and 613 depend from claim 590, claims 650 and 651 depend from claim 629, claims 681 and 682 depend from claim 664, and claims 715 and 716 depend from 695, they each incorporate all the terms and limitations of their respective base claims in addition to other limitations, which together further patentably distinguish these claims over the art of record. Therefore, Applicant respectfully requests that the rejection of claims 572, 573, 612, 613, 650, 651, 681, 682, 715, and 716 be withdrawn and that these claims be allowed.

### **III. Rejection of Claims 579, 619, 657, 685, and 721 Under 35 U.S.C. §103(a)**

Claims 579, 619, 657, 685, and 721 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cross (U.S. Patent No. 4,863,772) in view of Popat et al. (U.S. Patent No. 5,407,718) and further in view of Carlson (U.S. Patent No. 5,842,722).

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As discussed above, neither Cross nor Popat, alone or in combination, disclose, teach, or otherwise suggest a printable business card sheet comprising a "facestock sheet construction and a continuous sheet attached to the back side of the facestock sheet construction . . . wherein the continuous sheet includes a flexibility cut line extending the width thereof," as recited in amended independent claim 548. Moreover, as discussed above, there is no suggestion or motivation to combine Cross and Popat to achieve the embodiments of the claimed invention recited in independent claims 548, 590, 629, 664, and 695. Furthermore, Carlson does not remedy the deficiencies of Cross and Popat. Although Carlson allegedly discloses "die cut cards, which are coated with an ink receptive coating (col. 19, line 50 through col. 20, line 3)" (Office action, pages 23-24), Carlson does not disclose, teach, or otherwise suggest a continuous sheet having "a flexibility cut line extending the width thereof," as recited in independent claim 548.

For the aforementioned reasons, none of the cited references, whether taken alone or in combination, disclose, teach, or suggest at least the abovementioned limitations of independent claim 548, and there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiment of claim 548. Moreover, there is no apparent reason why a person having ordinary skill in the art at the time of the invention would have, upon reviewing the cited references as a whole, combined or modified their disclosures in such a way as to arrive at the claimed embodiments of independent claims 590, 629, 664, and 695. For at least these reasons, claims 548, 590, 629, 664, and 695 would not have been obvious over the art of record at the time the invention was made. See *CFMT, Inc. v. Yieldup Int'l. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) ("obviousness requires a suggestion of all limitations in a claim."), citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974). Therefore, Applicant respectfully requests that the rejection of claims 548, 590, 629, 664, and 695 be withdrawn, and that these claims be allowed.

Moreover, because claim 579 depends from claim 548, claim 619 depends from claim 590, claim 657 depends from claim 629, claim 685 depends from claim 664, and claim 721 depends from claim 695, they each incorporate all the terms and limitations of their respective

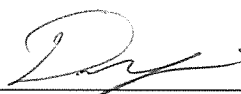
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base claims in addition to other limitations, which together further patentably distinguish these claims over the art of record. Therefore, Applicant respectfully requests that the rejection of claims 579, 619, 657, 685, and 721 be withdrawn and that these claims be allowed.

**IV. Concluding Remarks**

In view of the foregoing remarks, Applicant earnestly solicits a timely issuance of a Notice of Allowance with claims 548-564, 566-567, 569-573, 576-584, 586, 588, 590-604, 606-614, 616-627, 629-643, 645-652, 654-662, 664, 666-674, 676-695, 697-709, 711-717, and 719-729. If there are any remaining issues that can be addressed over the telephone, the Examiner is invited to call Applicant's attorney at the number listed below.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
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